

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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COREY JEMINE, et. al.,

Plaintiffs,

- against -

ORDER

08-CV-3072 (RRM) (MDG)

RAVEN P.D. DENNIS, III, individually and
d/b/a CAKE MAN RAVEN CONFECTIONARY,
CAKE MAN RAVEN, INC. d/b/a CAKE MAN
RAVEN CONFECTIONARY and CAKEVILLE
USA CORP.,

Defendants.

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MAUSKOPF, United States District Judge.

Before the Court are two Reports and Recommendations of Magistrate Judge Marilyn D. Go. The first Report and Recommendation (“R&R”), dated March 1, 2010 (“R&R I”), recommends that the Answers of corporate Defendants Cake Man Raven, Inc. d/b/a Cake Man Raven Confectionary and Cakeville USA Corp. be stricken and that default judgment be entered against those Defendants. The second Report and Recommendation, dated March 31, 2010 (“R&R II”), recommends that the Answer filed by the remaining individual Defendant, Raven P.D. Dennis, III, also be stricken, and that default judgment be entered against that Defendant as well. Judge Go further recommended that Defendants’ Counterclaims also be stricken. R&R I results from the corporate Defendants’ failure to appear in this action through counsel. R&R II results from the remaining Defendant’s failure to appear at court conferences, participate in discovery, or otherwise defend against Plaintiffs’ allegations. Objections to R&R I were due on or before March 18, 2010. Objections to R&R II were due on or before April 19, 2010. No party has filed any objection.

Pursuant to 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72, the Court has reviewed both R&Rs for clear error and, finding none, concurs with the R&Rs in their entirety. *See Covey v. Simonton*, 481 F. Supp. 2d 224, 226 (E.D.N.Y. 2007). Accordingly, it is hereby

ORDERED that Defendants' Answers and Counterclaims are stricken and that Default Judgment in favor of Plaintiffs be entered against Defendants. It is further ORDERED that this matter is hereby recommitted to Judge Go for a Report and Recommendation regarding the amount of Default Judgment to be entered. The Clerk of Court is directed to transmit a copy of this Order to Defendants via certified United States mail, return receipt requested.

SO ORDERED.

Dated: Brooklyn, New York
August 25, 2010


ROSLYNN R. MAUSKOPF
United States District Judge